

Senate File 396 - Introduced

SENATE FILE 396
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1106)

A BILL FOR

1 An Act relating to government operations and efficiency
2 and other related matters, making an appropriation, and
3 including effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

Section 1. Section 8A.101, unnumbered paragraph 1, Code 2013, is amended to read as follows:

As used in this chapter and chapter 8B, unless the context otherwise requires:

Sec. 2. Section 8A.103, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The department is created for the purpose of managing and coordinating the major resources of state government including the human, financial, and physical, ~~and information~~ resources of state government.

Sec. 3. Section 8A.104, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. Provide accounting and fiscal services and such additional assistance and administrative support services to the office of the chief information officer, created in section 8B.2, as the department and the office determines maximizes the efficiency and effectiveness of both the department and office.

Sec. 4. Section 8A.111, subsection 3, Code 2013, is amended by striking the subsection.

Sec. 5. NEW SECTION. 8B.1 **Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "*Information technology*" means computing and electronics applications used to process and distribute information in digital and other forms and includes information technology devices, telecommunications devices, internet protocol solutions and devices, mobile devices, information technology services, infrastructure services, and value-added services.

2. "*Information technology device*" means equipment or associated software, including programs, languages, procedures, or associated documentation, used in operating the equipment which is designed for utilizing information stored in an

1 electronic format. *"Information technology device"* includes
2 but is not limited to computer systems, computer networks, and
3 equipment used for input, output, processing, storage, display,
4 scanning, and printing.

5 3. *"Information technology services"* means services designed
6 to do any of the following:

7 a. Provide functions, maintenance, and support of
8 information technology devices.

9 b. Provide services including but not limited to any of the
10 following:

11 (1) Computer systems application development and
12 maintenance.

13 (2) Systems integration and interoperability.

14 (3) Operating systems maintenance and design.

15 (4) Computer systems programming.

16 (5) Computer systems software support.

17 (6) Planning and security relating to information
18 technology devices.

19 (7) Data management consultation.

20 (8) Information technology education and consulting.

21 (9) Information technology planning and standards.

22 (10) Establishment of local area network and workstation
23 management standards.

24 4. *"Information technology staff"* includes any employees
25 performing information technology services, including but
26 not limited to agency employees in information technology
27 classifications, contractors, temporary workers, and any other
28 employees providing information technology services.

29 5. *"Infrastructure services"* includes all of the following:

30 a. Data centers used to support mainframe and other
31 computers and their associated components including servers,
32 information networks, storage systems, redundant or backup
33 power systems, redundant data communications connections,
34 environmental controls, and security devices.

35 b. Servers, mainframes, or other centralized processing

1 systems.

2 *c.* Storage systems, including but not limited to disk, tape,
3 optical, and other structured repositories for storing digital
4 information.

5 *d.* Computer networks commonly referred to as local area
6 networks.

7 *e.* Network services, including equipment and software
8 which support local area networks, campus area networks, wide
9 area networks, and metro area networks. Network services
10 also include data network services such as routers, switches,
11 firewalls, virtual private networks, intrusion detection
12 systems, access control, internet protocol load balancers,
13 event logging and correlation, and content caching. Network
14 services do not include services provided by the public
15 broadcasting division of the department of education.

16 *f.* Groupware applications used to facilitate collaboration,
17 communication, and workflow, including electronic mail,
18 directory services, calendaring and scheduling, and imaging
19 systems.

20 *g.* Information technology help desk services.

21 *h.* Cyber security functions and equipment.

22 *i.* Digital printing and printing procurement services.

23 *j.* Data warehouses, including services that assist in
24 managing and locating digital information.

25 *k.* Disaster recovery technology and services.

26 *l.* Other similar or related services as determined by the
27 chief information officer.

28 6. "*Office*" means the office of the chief information
29 officer created in section 8B.2.

30 7. "*Participating agency*" means any state agency, except
31 the state board of regents and institutions operated under the
32 authority of the state board of regents.

33 8. "*Technology advisory council*" means the council
34 established in section 8B.8.

35 9. "*Value-added services*" means services that offer or

1 provide unique, special, or enhanced value, benefits, or
2 features to the customer or user including but not limited to
3 services in which information technology is specially designed,
4 modified, or adapted to meet the special or requested needs
5 of the user or customer; services involving the delivery,
6 provision, or transmission of information or data that require
7 or involve additional processing, formatting, enhancement,
8 compilation, or security; services that provide the customer
9 or user with enhanced accessibility, security, or convenience;
10 research and development services; and services that are
11 provided to support technological or statutory requirements
12 imposed on participating agencies and other governmental
13 entities, businesses, and the public.

14 Sec. 6. NEW SECTION. **8B.2 Office created — chief**
15 **information officer appointed.**

16 1. The office of the chief information officer is created
17 as an independent agency and is attached to the department of
18 administrative services for accounting and fiscal services.
19 The department of administrative services shall provide such
20 additional assistance and administrative support services to
21 the office as the department of administrative services and the
22 office determines maximizes the efficiency and effectiveness of
23 both the department and office.

24 2. The chief information officer, who shall be the head
25 of the office, shall be appointed by the governor to serve at
26 the pleasure of the governor and is subject to confirmation by
27 the senate. If the office becomes vacant, the vacancy shall
28 be filled in the same manner as provided for the original
29 appointment.

30 3. The person appointed as the chief information officer
31 for the state shall be professionally qualified by education
32 and have no less than five years' experience in the field of
33 information technology, and a working knowledge of financial
34 management. The chief information officer shall not be
35 a member of any local, state, or national committee of a

1 political party, an officer or member of a committee in
2 any partisan political club or organization, or hold or be
3 a candidate for a paid elective public office. The chief
4 information officer is subject to the restrictions on political
5 activity provided in section 8A.416.

6 Sec. 7. NEW SECTION. **8B.3 Office — purpose**
7 **— mission.**

8 1. The office is created for the purpose of leading,
9 directing, managing, coordinating, and providing accountability
10 for the information technology resources of state government.

11 2. The mission of the office is to provide high-quality,
12 customer-focused information technology services and business
13 solutions to government and to citizens.

14 Sec. 8. NEW SECTION. **8B.4 Powers and duties of the chief**
15 **information officer.**

16 The chief information officer shall do all of the following:

17 1. Direct the internal operations of the office and develop
18 and implement policies, procedures, and internal organization
19 measures designed to ensure the efficient administration of the
20 office.

21 2. Appoint all information technology staff deemed
22 necessary for the administration of the office's functions as
23 provided in this chapter. For nonprofessional employees of
24 the office, employment shall be consistent with chapter 8A,
25 subchapter IV. The employment of professional employees of
26 the office shall be exempt from the provisions of chapter 8A,
27 subchapter IV, and chapter 20.

28 3. Manage, in consultation with the applicable
29 participating agency, the information technology staff
30 of participating agencies, to include directing the work
31 of information technology staff, assigning information
32 technology staff as required to support information technology
33 requirements and initiatives of the office, and to review and
34 recommend approval of information technology staff employment
35 decisions in coordination with the department of management.

- 1 4. Prepare an annual budget for the office. Adopt rules
2 for the approval of information technology budgets for
3 participating agencies in conjunction with the department of
4 management.
- 5 5. Adopt rules deemed necessary for the administration of
6 this chapter in accordance with chapter 17A.
- 7 6. Prescribe and adopt information technology standards and
8 rules.
- 9 7. Develop and recommend legislative proposals deemed
10 necessary for the continued efficiency of the office in
11 performing information technology functions, and review
12 legislative proposals generated outside of the office which are
13 related to matters within the office's purview.
- 14 8. Provide advice to the governor on issues related to
15 information technology.
- 16 9. Consult with agencies and other governmental entities on
17 issues relating to information technology.
- 18 10. Work with all governmental entities in an effort to
19 achieve the information technology goals established by the
20 office.
- 21 11. Develop systems and methodologies to review, evaluate,
22 and prioritize information technology projects.
- 23 12. Administer all accounting, billing, and collection
24 functions required by the department of administrative services
25 pursuant to policies adopted by the chief information officer
26 after consultation and in cooperation with the director of the
27 department of administrative services.
- 28 13. Utilize, in a manner determined by the chief information
29 officer, such assistance and administrative support services as
30 provided by the department of administrative services as the
31 office determines to maximize the efficiency and effectiveness
32 of the office.
- 33 14. Enter into contracts for the receipt and provision of
34 services as deemed necessary. The chief information officer
35 and the governor may obtain and accept grants and receipts

1 to or for the state to be used for the administration of the
2 office's functions as provided in this chapter.

3 15. Exercise and perform such other powers and duties as may
4 be prescribed by law.

5 Sec. 9. NEW SECTION. **8B.5 Prohibited interests**
6 — **penalty.**

7 The chief information officer shall not have any pecuniary
8 interest, directly or indirectly, in any contract for supplies
9 furnished to the state, or in any business enterprise involving
10 any expenditure by the state. A violation of the provisions
11 of this section is a serious misdemeanor, and upon conviction,
12 the chief information officer shall be removed from office in
13 addition to any other penalty.

14 Sec. 10. NEW SECTION. **8B.6 Acceptance of funds.**

15 The office may receive and accept donations, grants, gifts,
16 and contributions in the form of moneys, services, materials,
17 or otherwise, from the United States or any of its agencies,
18 from this state or any of its agencies, or from any other
19 person, and expend such moneys, services, materials, or other
20 contributions, or issue grants, in carrying out the operations
21 of the office. All federal grants to and the federal receipts
22 of the office are appropriated for the purpose set forth in
23 such federal grants or receipts. The office shall report
24 annually to the general assembly on or before September 1 the
25 donations, grants, gifts, and contributions with a monetary
26 value of one thousand dollars or more that were received during
27 the most recently concluded fiscal year.

28 Sec. 11. NEW SECTION. **8B.7 Federal funds.**

29 1. Neither the provisions of this chapter nor rules adopted
30 pursuant to this chapter shall apply in any situation where
31 such provision or rule is in conflict with a governing federal
32 regulation or where the provision or rule would jeopardize the
33 receipt of federal funds.

34 2. If it is determined by the attorney general that
35 any provision of this chapter would cause denial of funds

1 or services from the United States government which would
2 otherwise be available to an agency of this state, such
3 provision shall be suspended as to such agency, but only to the
4 extent necessary to prevent denial of such funds or services.

5 Sec. 12. NEW SECTION. **8B.8 Technology advisory council.**

6 1. *Definitions.* For purposes of this section, unless the
7 context otherwise requires:

8 a. "Large agency" means a participating agency with more
9 than seven hundred full-time, year-round employees.

10 b. "Medium-sized agency" means a participating agency with
11 at least seventy or more full-time, year-round employees, but
12 not more than seven hundred permanent employees.

13 c. "Small agency" means a participating agency with less
14 than seventy full-time, year-round employees.

15 2. *Membership.*

16 a. The technology advisory council is composed of ten
17 members as follows:

18 (1) The chief information officer.

19 (2) The director of the department of management, or the
20 director's designee.

21 (3) Eight members appointed by the governor as follows:

22 (a) Three representatives from large agencies.

23 (b) Two representatives from medium-sized agencies.

24 (c) One representative from a small agency.

25 (d) Two public members who are knowledgeable and have
26 experience in information technology matters.

27 b. (1) Members appointed pursuant to paragraph "a",
28 subparagraph (3), shall serve two-year staggered terms. The
29 office shall provide, by rule, for the commencement of the
30 term of membership for the nonpublic members. The terms of
31 the public members shall be staggered at the discretion of the
32 governor.

33 (2) Sections 69.16, 69.16A, and 69.19 shall apply to the
34 public members of the council.

35 (3) Public members appointed by the governor are subject to

1 senate confirmation.

2 (4) Public members appointed by the governor may be eligible
3 to receive compensation as provided in section 7E.6.

4 (5) Members shall be reimbursed for actual and necessary
5 expenses incurred in performance of the members' duties.

6 (6) A director, deputy director, or employee of an agency
7 who has information technology expertise is preferred as an
8 appointed representative for each of the agency categories of
9 membership pursuant to paragraph "a", subparagraph (3).

10 c. The technology advisory council annually shall elect a
11 chair and a vice chair from among the members of the council,
12 by majority vote, to serve one-year terms.

13 d. A majority of the members of the council shall constitute
14 a quorum.

15 e. Meetings of the council shall be held at the call of the
16 chairperson or at the request of three members.

17 3. *Powers and duties of the council.* The powers and
18 duties of the technology advisory council as they relate to
19 information technology services shall include but are not
20 limited to all of the following:

21 a. Make recommendations to the chief information officer
22 regarding all of the following:

23 (1) Information technology standards to be applicable to
24 all participating agencies.

25 (2) Technology utility services to be implemented by the
26 office.

27 (3) Improvements to information technology service
28 levels and modifications to the business continuity plan for
29 information technology operations developed by the office for
30 agencies, and to maximize the value of information technology
31 investments by the state.

32 (4) Technology initiatives for the executive branch.

33 b. Advise the office regarding rates to be charged for
34 access to and for value-added services performed through
35 IowAccess.

1 Sec. 13. NEW SECTION. **8B.9 Reports required.**

2 The office shall provide all of the following reports:

3 1. An annual report of the office.

4 2. Internal service fund service business plans and
5 financial reports as required under section 8B.13, subsection
6 5, paragraph "a", and an annual internal service fund
7 expenditure report as required under section 8B.13, subsection
8 5, paragraph "b".

9 3. An annual report regarding total spending on technology
10 as required under section 8B.21, subsection 6.

11 4. An annual report of expenditures from the IowAccess
12 revolving fund as provided in section 8B.33.

13 Sec. 14. NEW SECTION. **8B.12 Services to governmental**
14 **entities and nonprofit organizations.**

15 1. The chief information officer shall enter into
16 agreements with state agencies, and may enter into agreements
17 with any other governmental entity or a nonprofit organization,
18 to furnish services and facilities of the office to the
19 applicable governmental entity or nonprofit organization. The
20 agreement shall provide for the reimbursement to the office of
21 the reasonable cost of the services and facilities furnished.
22 All governmental entities of this state may enter into such
23 agreements. For purposes of this subsection, "*nonprofit*
24 *organization*" means a nonprofit entity which is exempt from
25 federal income taxation pursuant to section 501(c)(3) of the
26 Internal Revenue Code and which is funded in whole or in part
27 by public funds.

28 2. This chapter does not affect any city civil service
29 programs established under chapter 400.

30 3. The state board of regents shall not be required to
31 obtain any service for the state board of regents or any
32 institution under the control of the state board of regents
33 that is provided by the office pursuant to this chapter without
34 the consent of the state board of regents.

35 Sec. 15. NEW SECTION. **8B.13 Office internal service funds.**

1 1. Activities of the office shall be accounted for
2 within the general fund of the state, except that the chief
3 information officer may establish and maintain internal
4 service funds in accordance with generally accepted accounting
5 principles, as defined in section 8.57, subsection 4, for
6 activities of the office which are primarily funded from
7 billings to governmental entities for services rendered by
8 the office. The establishment of an internal service fund is
9 subject to the approval of the director of the department of
10 management and the concurrence of the auditor of state. At
11 least ninety days prior to the establishment of an internal
12 service fund pursuant to this section, the chief information
13 officer shall notify in writing the general assembly, including
14 the legislative council, legislative fiscal committee, and the
15 legislative services agency.

16 2. Internal service funds shall be administered by the
17 office and shall consist of moneys collected by the office
18 from billings issued in accordance with section 8B.15 and any
19 other moneys obtained or accepted by the office, including
20 but not limited to gifts, loans, donations, grants, and
21 contributions, which are designated to support the activities
22 of the individual internal service funds.

23 3. The proceeds of an internal service fund established
24 pursuant to this section shall be used by the office for the
25 operations of the office consistent with this chapter. The
26 chief information officer may appoint the personnel necessary
27 to ensure the efficient provision of services funded pursuant
28 to an internal service fund established under this section.
29 However, this usage requirement shall not limit or restrict
30 the office from using proceeds from gifts, loans, donations,
31 grants, and contributions in conformance with any conditions,
32 directions, limitations, or instructions attached or related
33 thereto.

34 4. Section 8.33 does not apply to any moneys in internal
35 service funds established pursuant to this section.

1 Notwithstanding section 12C.7, subsection 2, interest or
2 earnings on moneys deposited in these funds shall be credited
3 to these funds.

4 5. a. The chief information officer shall annually provide
5 internal service fund service business plans and financial
6 reports to the department of management and the general
7 assembly. The business plans may include the recommendation
8 that a portion of unexpended net income be periodically
9 returned to the appropriate funding source.

10 b. The office shall submit an annual report not later
11 than October 1 to the members of the general assembly and the
12 legislative services agency of the activities funded by and
13 expenditures made from an internal service fund established
14 pursuant to this section during the preceding fiscal year.

15 Sec. 16. NEW SECTION. **8B.14 Additional personnel.**

16 The office may employ, upon the approval of the department
17 of management, additional personnel in excess of the number
18 of full-time equivalent positions authorized by the general
19 assembly if such additional personnel are reasonable and
20 necessary to perform such duties as required to meet the
21 needs of the office to provide services to other governmental
22 entities and as authorized by this chapter. The chief
23 information officer shall notify in writing the department
24 of management, the legislative fiscal committee, and the
25 legislative services agency of any additional personnel
26 employed pursuant to this section.

27 Sec. 17. NEW SECTION. **8B.15 Billing — credit card
28 payments.**

29 1. The chief information officer may bill a governmental
30 entity for services rendered by the office in accordance with
31 the duties of the office as provided in this chapter. Bills
32 may include direct, indirect, and developmental costs which
33 have not been funded by an appropriation to the office. The
34 office shall periodically render a billing statement to a
35 governmental entity outlining the cost of services provided to

1 the governmental entity. The amount indicated on the statement
 2 shall be paid by the governmental entity and amounts received
 3 by the office shall be considered repayment receipts as defined
 4 in section 8.2, and deposited into the accounts of the office.

5 2. In addition to other forms of payment, a person may pay
 6 by credit card for services provided by the office, according
 7 to rules adopted by the treasurer of state. The credit card
 8 fees to be charged shall not exceed those permitted by statute.
 9 A governmental entity may adjust its payment to reflect the
 10 costs of processing as determined by the treasurer of state.
 11 The discount charged by the credit card issuer may be included
 12 in determining the fees to be paid for completing a financial
 13 transaction under this section by using a credit card. All
 14 credit card payments shall be credited to the fund used to
 15 account for the services provided.

16 Sec. 18. NEW SECTION. **8B.16 Office debts and liabilities**
 17 **— appropriation request.**

18 If a service provided by the office and funded from an
 19 internal service fund established under section 8B.13 ceases
 20 to be provided and insufficient funds remain in the internal
 21 service fund to pay any outstanding debts and liabilities
 22 relating to that service, the chief information officer shall
 23 notify the department of management and the general assembly
 24 and request that moneys be appropriated from the general fund
 25 of the state to pay such debts and liabilities.

26 Sec. 19. NEW SECTION. **8B.21 Information technology services**
 27 **— office powers and duties — responsibilities.**

28 1. *Powers and duties of office.* The powers and duties of
 29 the office as it relates to information technology services
 30 shall include but are not limited to all of the following:

31 a. Approving information technology for use by agencies and
 32 other governmental entities.

33 b. Implementing the strategic information technology plan.

34 c. Developing and implementing a business continuity plan,
 35 as the chief information officer determines is appropriate, to

1 be used if a disruption occurs in the provision of information
2 technology to participating agencies and other governmental
3 entities.

4 *d.* Prescribing standards and adopting rules relating to
5 cyber security, geospatial systems, application development,
6 and information technology and procurement, including but
7 not limited to system design and systems integration, and
8 interoperability, which shall apply to all participating
9 agencies except as otherwise provided in this chapter. The
10 office shall implement information technology standards as
11 established pursuant to this chapter which are applicable to
12 information technology procurements for participating agencies.

13 *e.* Establishing an enterprise strategic and project
14 management function for oversight of all information
15 technology-related projects and resources of participating
16 agencies.

17 *f.* (1) Developing and maintaining security policies and
18 systems to ensure the integrity of the state's information
19 resources and to prevent the disclosure of confidential
20 records. The office shall ensure that the security policies
21 and systems be consistent with the state's data transparency
22 efforts by developing and implementing policies and systems for
23 the sharing of data and information by participating agencies.

24 (2) Establishing statewide standards, to include periodic
25 review and compliance measures, for information technology
26 security to maximize the functionality, security, and
27 interoperability of the state's distributed information
28 technology assets, including but not limited to communications
29 and encryption technologies.

30 (3) Requiring all information technology security services,
31 solutions, hardware, and software purchased or used by a
32 participating agency to be subject to approval by the office in
33 accordance with security standards.

34 *g.* Developing and implementing effective and efficient
35 strategies for the use and provision of information technology

1 and information technology staff for participating agencies and
2 other governmental entities.

3 *h.* Coordinating and managing the acquisition of information
4 technology services by participating agencies in furtherance
5 of the purposes of this chapter. The office shall institute
6 procedures to ensure effective and efficient compliance with
7 the applicable standards established pursuant to this chapter.

8 *i.* Entering into contracts, leases, licensing agreements,
9 royalty agreements, marketing agreements, memorandums of
10 understanding, or other agreements as necessary and appropriate
11 to administer this chapter.

12 *j.* Determining and implementing statewide efforts
13 to standardize data elements, determine data ownership
14 assignments, and implement the sharing of data.

15 *k.* Requiring that a participating agency provide such
16 information as is necessary to establish and maintain an
17 inventory of information technology used by participating
18 agencies, and such participating agency shall provide such
19 information to the office in a timely manner. The form and
20 content of the information to be provided shall be determined
21 by the office.

22 *l.* Requiring participating agencies to provide the full
23 details of the agency's information technology and operational
24 requirements upon request, report information technology
25 security incidents to the office in a timely manner, provide
26 comprehensive information concerning the information technology
27 security employed by the agency to protect the agency's
28 information technology, and forecast the parameters of the
29 agency's projected future information technology security needs
30 and capabilities.

31 *m.* Charging reasonable fees, costs, expenses, charges,
32 or other amounts to an agency, governmental entity, public
33 official, or person or entity related to the provision, sale,
34 use, or utilization of, or cost sharing with respect to,
35 information technology and any intellectual property interests

1 related thereto; research and development; proprietary
2 hardware, software, and applications; and information
3 technology architecture and design. The office may enter
4 into nondisclosure agreements and take any other legal action
5 reasonably necessary to secure a right to an interest in
6 information technology development by or on behalf of the
7 state of Iowa and to protect the state of Iowa's proprietary
8 information technology and intellectual property interests.
9 The provisions of chapter 23A relating to noncompetition
10 by state agencies and political subdivisions with private
11 enterprise shall not apply to office activities authorized
12 under this paragraph.

13 *n.* Charging reasonable fees, costs, expenses, charges,
14 or other amounts to an agency, governmental entity, public
15 official, or other person or entity to or for whom information
16 technology or other services have been provided by or on behalf
17 of, or otherwise made available through, the office.

18 *o.* Providing, selling, leasing, licensing, transferring, or
19 otherwise conveying or disposing of information technology, or
20 any intellectual property or other rights with respect thereto,
21 to agencies, governmental entities, public officials, or other
22 persons or entities.

23 *p.* Entering into partnerships, contracts, leases, or other
24 agreements with public and private entities for the evaluation
25 and development of information technology pilot projects.

26 *q.* Initiating and supporting the development of electronic
27 commerce, electronic government, and internet applications
28 across participating agencies and in cooperation with
29 other governmental entities. The office shall foster joint
30 development of electronic commerce and electronic government
31 involving the public and private sectors, develop customer
32 surveys and citizen outreach and education programs and
33 material, and provide for citizen input regarding the state's
34 electronic commerce and electronic government applications.

35 *2. Responsibilities.* The responsibilities of the office

1 as it relates to information technology services include the
2 following:

3 *a.* Coordinate the activities of the office in promoting,
4 integrating, and supporting information technology in all
5 business aspects of state government.

6 *b.* Provide for server systems, including mainframe and
7 other server operations, desktop support, and applications
8 integration.

9 *c.* Provide applications development, support, and training,
10 and advice and assistance in developing and supporting business
11 applications throughout state government.

12 3. *Information technology charges.* The office shall
13 render a statement to an agency, governmental entity, public
14 official, or other person or entity to or for whom information
15 technology, value-added services, or other items or services
16 have been provided by or on behalf of, or otherwise made
17 available through, the office. Such an agency, governmental
18 entity, public official, or other person or entity shall pay
19 an amount indicated on such statement in a manner determined
20 by the office.

21 4. *Dispute resolution.* If a dispute arises between the
22 office and an agency for which the office provides or refuses
23 to provide information technology, the dispute shall be
24 resolved as provided in section 679A.19.

25 5. *Waivers.*

26 *a.* The office shall adopt rules allowing for participating
27 agencies to seek a temporary or permanent waiver from any of
28 the requirements of this chapter concerning the acquisition,
29 utilization, or provision of information technology. The rules
30 shall provide that a waiver may be granted upon a written
31 request by a participating agency and approval of the chief
32 information officer. A waiver shall only be approved if the
33 participating agency shows that a waiver would be in the best
34 interests of the state.

35 *b.* Prior to approving or denying a request for a waiver, the

1 chief information officer shall consider all of the following:

2 (1) Whether the failure to grant a waiver would violate
3 any state or federal law or any published policy, standard,
4 or requirement established by a governing body other than the
5 office.

6 (2) Whether the failure to grant a waiver would result in
7 the duplication of existing services, resources, or support.

8 (3) Whether the waiver would obstruct the state's
9 information technology strategic plan, enterprise architecture,
10 security plans, or any other information technology policy,
11 standard, or requirement.

12 (4) Whether the waiver would result in excessive
13 expenditures or expenditures above market rates.

14 (5) The life cycle of the system or application for which
15 the waiver is requested.

16 (6) Whether the participating agency can show that it can
17 obtain or provide the information technology more economically
18 than the information technology can be provided by the office.
19 For purposes of determining if the participating agency can
20 obtain or provide the information technology more economically,
21 the chief information officer shall consider the impact on
22 other participating agencies if the waiver is granted or
23 denied.

24 (7) Whether the failure to grant a waiver would jeopardize
25 federal funding.

26 *c.* Rules adopted pursuant to this subsection relating to a
27 request for a waiver, at a minimum, shall provide for all of
28 the following:

29 (1) The request shall be in writing and signed by the head
30 of the participating agency seeking the waiver.

31 (2) The request shall include a reference to the specific
32 policy, standard, or requirement for which the waiver is
33 submitted.

34 (3) The request shall include a statement of facts including
35 a description of the problem or issue prompting the request;

1 the participating agency's preferred solution; an alternative
2 approach to be implemented by the participating agency intended
3 to satisfy the waived policy, standard, or requirement; the
4 business case for the alternative approach; a third party audit
5 or report that compares the participating agency's preferred
6 solution to the information technology solution that can be
7 provided by the office; the economic justification for the
8 waiver or a statement as to why the waiver is in the best
9 interests of the state; the time period for which the waiver is
10 requested; and any other information deemed appropriate.

11 *d.* A participating agency may appeal the decision of the
12 chief information officer to the director of the department of
13 management within seven calendar days following the decision of
14 the chief information officer. The director of the department
15 of management shall respond within fourteen days following the
16 receipt of the appeal.

17 *e.* The department of public defense shall not be required
18 to obtain any information technology services pursuant to this
19 chapter for the department of public defense that is provided
20 by the office pursuant to this chapter without the consent of
21 the adjutant general.

22 *6. Annual report.* On an annual basis, prepare a report to
23 the governor, the department of management, and the general
24 assembly regarding the total spending on technology for the
25 previous fiscal year, the total amount appropriated for the
26 current fiscal year, and an estimate of the amount to be
27 requested for the succeeding fiscal year for all agencies. The
28 report shall include a five-year projection of technology cost
29 savings, an accounting of the level of technology cost savings
30 for the current fiscal year, and a comparison of the level of
31 technology cost savings for the current fiscal year with that
32 of the previous fiscal year. The report shall be filed as soon
33 as possible after the close of a fiscal year, and by no later
34 than the second Monday of January of each year.

35 **Sec. 20. NEW SECTION. 8B.22 Digital government.**

1 1. The office is responsible for initiating and
2 supporting the development of electronic commerce, electronic
3 government, mobile applications, and internet applications
4 across participating agencies and in cooperation with other
5 governmental entities.

6 2. In developing the concept of digital government, the
7 office shall do all of the following:

8 a. Establish standards, consistent with other state law, for
9 the implementation of electronic commerce, including standards
10 for electronic signatures, electronic currency, and other items
11 associated with electronic commerce.

12 b. Establish guidelines for the appearance and functioning
13 of applications.

14 c. Establish standards for the integration of electronic
15 data across state agencies.

16 d. Foster joint development of electronic commerce and
17 electronic government involving the public and private sectors.

18 e. Develop customer surveys and citizen outreach and
19 education programs and material, and provide for citizen input
20 regarding the state's electronic commerce and electronic
21 government applications.

22 f. Assist participating agencies in converting printed
23 government materials to electronic materials which can be
24 accessed through an internet searchable database.

25 g. Encourage participating agencies to utilize duplex
26 printing and a print on demand strategy to reduce printing
27 costs, publication overruns, excessive inventory, and obsolete
28 printed materials.

29 **Sec. 21. NEW SECTION. 8B.23 Information technology**
30 **standards.**

31 1. The office shall develop and adopt information
32 technology standards applicable to the procurement of
33 information technology by all participating agencies. Such
34 standards, unless waived by the office, shall apply to all
35 information technology procurements for participating agencies.

1 2. The office of the governor or the office of an elective
2 constitutional or statutory officer shall consult with the
3 office prior to procuring information technology and consider
4 the information technology standards adopted by the office, and
5 provide a written report to the office relating to the other
6 office's decision regarding such acquisitions.

7 Sec. 22. NEW SECTION. **8B.24 Procurement of information**
8 **technology.**

9 1. Standards established by the office, unless waived by the
10 office, shall apply to all information technology procurements
11 for participating agencies.

12 2. The office shall institute procedures to ensure
13 effective and efficient compliance with standards established
14 by the office.

15 3. The office shall develop policies and procedures
16 that apply to all information technology goods and services
17 acquisitions, and shall ensure the compliance of all
18 participating agencies. The office shall also be the sole
19 provider of infrastructure services for participating agencies.

20 4. The office, by rule, may implement a prequalification
21 procedure for contractors with which the office has entered or
22 intends to enter into agreements regarding the procurement of
23 information technology.

24 5. Notwithstanding the provisions governing purchasing as
25 provided in chapter 8A, subchapter III, the office may procure
26 information technology as provided in this section. The
27 office may cooperate with other governmental entities in the
28 procurement of information technology in an effort to make such
29 procurements in a cost-effective, efficient manner as provided
30 in this section. The office, as deemed appropriate and cost
31 effective, may procure information technology using any of the
32 following methods:

33 a. Cooperative procurement agreement. The office may
34 enter into a cooperative procurement agreement with another
35 governmental entity relating to the procurement of information

1 technology, whether such information technology is for the use
2 of the office or other governmental entities. The cooperative
3 procurement agreement shall clearly specify the purpose of
4 the agreement and the method by which such purpose will be
5 accomplished. Any power exercised under such agreement shall
6 not exceed the power granted to any party to the agreement.

7 *b.* Negotiated contract. The office may enter into an
8 agreement for the purchase of information technology if any of
9 the following applies:

10 (1) The contract price, terms, and conditions are pursuant
11 to the current federal supply contract, and the purchase order
12 adequately identifies the federal supply contract under which
13 the procurement is to be made.

14 (2) The contract price, terms, and conditions are no less
15 favorable than the contractor's current federal supply contract
16 price, terms, and conditions; the contractor has indicated
17 in writing a willingness to extend such price, terms, and
18 conditions to the office; and the purchase order adequately
19 identifies the contract relied upon.

20 (3) The contract is with a vendor who has a current
21 exclusive or nonexclusive price agreement with the state for
22 the information technology to be procured, and such information
23 technology meets the same standards and specifications as the
24 items to be procured and both of the following apply:

25 (a) The quantity purchased does not exceed the quantity
26 which may be purchased under the applicable price agreement.

27 (b) The purchase order adequately identifies the price
28 agreement relied upon.

29 *c.* Contracts let by another governmental entity. The
30 office, on its own behalf or on the behalf of another
31 participating agency or governmental entity, may procure
32 information technology under a contract let by another agency
33 or other governmental entity, or approve such procurement in
34 the same manner by a participating agency or governmental
35 entity. The office, on its own behalf or on the behalf of

1 another participating agency or governmental entity, may also
2 procure information technology by leveraging an existing
3 competitively procured contract, other than a contract
4 associated with the state board of regents or an institution
5 under the control of the state board of regents.

6 *d.* Reverse auction.

7 (1) The office may enter into an agreement for the purchase
8 of information technology utilizing a reverse auction process.
9 Such process shall result in the purchase of information
10 technology from the vendor submitting the lowest responsible
11 bid amount for the information technology to be acquired. The
12 office, in establishing a reverse auction process, shall do all
13 of the following:

14 (a) Determine the specifications and requirements of the
15 information technology to be acquired.

16 (b) Identify and provide notice to potential vendors
17 concerning the proposed acquisition.

18 (c) Establish prequalification requirements to be met by a
19 vendor to be eligible to participate in the reverse auction.

20 (d) Conduct the reverse auction in a manner as deemed
21 appropriate by the office and consistent with rules adopted by
22 the office.

23 (2) Prior to conducting a reverse auction, the office
24 shall establish a threshold amount which shall be the maximum
25 amount that the office is willing to pay for the information
26 technology to be acquired.

27 (3) The office shall enter into an agreement with a
28 vendor who is the lowest responsible bidder which meets the
29 specifications or description of the information technology
30 to be procured, or the office may reject all bids and begin
31 the process again. In determining the lowest responsible
32 bidder, the office may consider various factors including but
33 not limited to the past performance of the vendor relative
34 to quality of product or service, the past experience of the
35 office in relation to the product or service, the relative

1 quality of products or services, the proposed terms of
2 delivery, and the best interest of the state.

3 *e.* Competitive bidding. The office may enter into an
4 agreement for the procurement or acquisition of information
5 technology in the same manner as provided under chapter 8A,
6 subchapter III, for the purchasing of service.

7 *f.* Other agreement. In addition to the competitive bidding
8 procedure provided for under paragraph "e", the office may
9 enter into an agreement for the purchase, disposal, or other
10 disposition of information technology in the same manner and
11 subject to the same limitations as otherwise provided in
12 this chapter. The office, by rule, shall provide for such
13 procedures.

14 6. The office shall adopt rules pursuant to chapter 17A to
15 implement the procurement methods and procedures provided for
16 in subsections 2 through 5.

17 Sec. 23. NEW SECTION. **8B.31 IowAccess — office duties and**
18 **responsibilities.**

19 1. *IowAccess.* The office shall establish IowAccess as
20 a service to the citizens of this state that is the gateway
21 for one-stop electronic access to government information and
22 transactions, whether federal, state, or local. Except as
23 provided in this section, IowAccess shall be a state-funded
24 service providing access to government information and
25 transactions. The office, in establishing the fees for
26 value-added services, shall consider the reasonable cost of
27 creating and organizing such government information through
28 IowAccess.

29 2. *Duties.* The office shall do all of the following:

30 *a.* Establish rates to be charged for access to and for
31 value-added services performed through IowAccess.

32 *b.* Approve and establish the priority of projects
33 associated with IowAccess. The determination may also include
34 requirements concerning funding for a project proposed by
35 a political subdivision of the state or an association,

1 the membership of which is comprised solely of political
2 subdivisions of the state. Prior to approving a project
3 proposed by a political subdivision, the office shall verify
4 that all of the following conditions are met:

5 (1) The proposed project provides a benefit to the state.

6 (2) The proposed project, once completed, can be shared
7 with and used by other political subdivisions of the state, as
8 appropriate.

9 (3) The state retains ownership of any final product or is
10 granted a permanent license to the use of the product.

11 *c.* Establish expected outcomes and effects of the use of
12 IowAccess and determine the manner in which such outcomes are
13 to be measured and evaluated.

14 *d.* Establish the IowAccess total budget request and
15 ensure that such request reflects the priorities and goals of
16 IowAccess as established by the office.

17 *e.* Advocate for access to government information and
18 services through IowAccess and for data privacy protection,
19 information ethics, accuracy, and security in IowAccess
20 programs and services.

21 *f.* Receive status and operations reports associated with
22 IowAccess.

23 3. *Data purchasing.* This section shall not be construed
24 to impair the right of a person to contract to purchase
25 information or data from the Iowa court information system
26 or any other governmental entity. This section shall not be
27 construed to affect a data purchase agreement or contract in
28 existence on April 25, 2000.

29 Sec. 24. NEW SECTION. 8B.32 **Financial transactions.**

30 1. Moneys paid to a participating agency from persons who
31 complete an electronic financial transaction with the agency by
32 accessing IowAccess shall be transferred to the treasurer of
33 state for deposit in the general fund of the state, unless the
34 disposition of the moneys is specifically provided for under
35 other law. The moneys may include all of the following:

1 a. Fees required to obtain an electronic public record as
2 provided in section 22.3A.

3 b. Fees required to process an application or file a
4 document, including but not limited to fees required to obtain
5 a license issued by a licensing authority.

6 c. Moneys owed to a governmental entity by a person
7 accessing IowAccess in order to satisfy a liability
8 arising from the operation of law, including the payment of
9 assessments, taxes, fines, and civil penalties.

10 2. Moneys transferred using IowAccess may include amounts
11 owed by a governmental entity to a person accessing IowAccess
12 in order to satisfy a liability of the governmental entity.
13 The moneys may include the payment of tax refunds, and the
14 disbursement of support payments as defined in section 252D.16
15 or 598.1 as required for orders issued pursuant to section
16 252B.14.

17 3. In addition to other forms of payment, credit cards shall
18 be accepted in payment for moneys owed to or fees imposed by a
19 governmental entity in the same manner as provided in section
20 8B.15.

21 Sec. 25. NEW SECTION. 8B.33 IowAccess revolving fund.

22 1. An IowAccess revolving fund is created in the state
23 treasury. The revolving fund shall be administered by the
24 office and shall consist of moneys collected by the office as
25 fees, moneys appropriated by the general assembly, and any
26 other moneys obtained or accepted by the office for deposit in
27 the revolving fund. The proceeds of the revolving fund are
28 appropriated to and shall be used by the office to maintain,
29 develop, operate, and expand IowAccess consistent with this
30 chapter, and for the support of activities of the technology
31 advisory council pursuant to section 8B.8.

32 2. The office shall submit an annual report not later than
33 January 31 to the members of the general assembly and the
34 legislative services agency of the activities funded by and
35 expenditures made from the revolving fund during the preceding

1 fiscal year. Section 8.33 does not apply to any moneys in the
2 revolving fund, and, notwithstanding section 12C.7, subsection
3 2, earnings or interest on moneys deposited in the revolving
4 fund shall be credited to the revolving fund.

5 Sec. 26. Section 8D.4, Code 2013, is amended to read as
6 follows:

7 **8D.4 Executive director appointed.**

8 The commission, in consultation with the director of
9 the department of administrative services and the chief
10 information officer, shall appoint an executive director of
11 the commission, subject to confirmation by the senate. Such
12 individual shall not serve as a member of the commission.
13 The executive director shall serve at the pleasure of the
14 commission. The executive director shall be selected primarily
15 for administrative ability and knowledge in the field, without
16 regard to political affiliation. The governor shall establish
17 the salary of the executive director within range nine as
18 established by the general assembly. The salary and support of
19 the executive director shall be paid from funds deposited in
20 the Iowa communications network fund.

21 Sec. 27. Section 12C.1, subsection 2, paragraph e,
22 subparagraph (6), Code 2013, is amended to read as follows:

23 (6) Moneys placed in a depository for the purpose of
24 completing an electronic financial transaction pursuant to
25 section ~~8A.222~~ 8B.32 or 331.427.

26 Sec. 28. Section 12C.4, Code 2013, is amended to read as
27 follows:

28 **12C.4 Location of depositories.**

29 Deposits by the treasurer of state shall be in depositories
30 located in this state; by a county officer or county public
31 hospital officer or merged area hospital officer, in
32 depositories located in the county or in an adjoining county
33 within this state; by a memorial hospital treasurer, in a
34 depository located within this state which shall be selected
35 by the memorial hospital treasurer and approved by the

1 memorial hospital commission; by a city treasurer or other
2 city financial officer, in depositories located in the county
3 in which the city is located or in an adjoining county, but
4 if there is no depository in the county in which the city is
5 located or in an adjoining county then in any other depository
6 located in this state which shall be selected as a depository
7 by the city council; by a school treasurer or by a school
8 secretary in a depository within this state which shall be
9 selected by the board of directors or the trustees of the
10 school district; by a township clerk in a depository located
11 within this state which shall be selected by the township
12 clerk and approved by the trustees of the township. However,
13 deposits may be made in depositories outside of Iowa for the
14 purpose of paying principal and interest on bonded indebtedness
15 of any municipality when the deposit is made not more than ten
16 days before the date the principal or interest becomes due.
17 Further, the treasurer of state may maintain an account or
18 accounts outside the state of Iowa for the purpose of providing
19 custodial services for the state and state retirement fund
20 accounts. Deposits made for the purpose of completing an
21 electronic financial transaction pursuant to section ~~8A.222~~
22 8B.32 or 331.427 may be made in any depository located in this
23 state.

24 Sec. 29. Section 23A.2, subsection 10, paragraph o, Code
25 2013, is amended to read as follows:

26 o. The performance of an activity authorized pursuant to
27 section ~~8A.202~~ 8B.21, subsection ~~2~~ 1, paragraph ~~"j"~~ "m".

28 Sec. 30. Section 262.9B, subsection 3, paragraph a, Code
29 2013, is amended to read as follows:

30 a. The board shall direct institutions under its control
31 to cooperate with the chief information officer of the state
32 in efforts to cooperatively obtain information technology
33 and related services that result in mutual cost savings
34 and efficiency improvements, and shall seek input from the
35 ~~department of administrative services and the~~ chief information

1 officer of the state regarding specific areas of potential
2 cooperation between the institutions under the control of the
3 board and the ~~department of administrative services~~ office of
4 the chief information officer.

5 Sec. 31. REPEAL. Sections 8A.201, 8A.201A, 8A.202, 8A.203,
6 8A.204, 8A.205, 8A.206, 8A.207, 8A.221, 8A.222, and 8A.224,
7 Code 2013, are repealed.

8 Sec. 32. ADMINISTRATIVE RULES — TRANSITION
9 PROVISIONS. Any rule, regulation, form, order, or directive
10 promulgated by the department of administrative services as
11 it relates to information technology and in effect on the
12 effective date of this Act shall continue in full force and
13 effect until amended, repealed, or supplemented by affirmative
14 action of the office of the chief information officer as
15 established in this Act.

16 Sec. 33. MISCELLANEOUS TRANSITION PROVISIONS.

17 1. Any personnel in the state merit system of employment
18 who are mandatorily transferred due to the effect of this Act
19 shall be so transferred without any loss in salary, benefits,
20 or accrued years of service.

21 2. Any funds in any account or fund of the department of
22 administrative services as it relates to information technology
23 shall be transferred to the comparable fund or account as
24 established and provided by this Act.

25 3. Any cause of action or statute of limitation relating to
26 the information technology duties provided by the department
27 of administrative services that are transferred to the office
28 of the chief information officer as provided by this Act shall
29 not be affected as a result of the transfer and such cause or
30 statute of limitation shall apply to the successor office.

31 Sec. 34. OFFICE OF THE CHIEF INFORMATION OFFICER —
32 INFORMATION TECHNOLOGY DEVICE INVENTORY.

33 1. The office of the chief information officer shall
34 complete an inventory of information technology devices
35 utilized by the office and participating agencies, as defined

1 in section 8B.1, as enacted by this Act. The office shall
2 conduct the inventory with the goal of identifying potential
3 information technology device upgrades, changes, or other
4 efficiencies that will meet the information technology needs
5 of the applicable department or agency at reduced cost to the
6 state.

7 2. The office shall submit a report to the general assembly
8 by January 1, 2014, describing the office's actions as required
9 by this section. The report shall, if applicable, identify
10 any statutory barriers or needed technology investments for
11 pursuing efforts described in this section and shall include in
12 the report its findings and any recommendations for legislative
13 action.

14 Sec. 35. OFFICE OF THE CHIEF INFORMATION OFFICER —
15 INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.

16 1. The office of the chief information officer, in
17 accordance with the requirements of Code section 8B.21,
18 subsection 1, paragraph "h", as enacted by this Act, shall
19 coordinate and manage information technology services within
20 the office, shall establish a schedule by which all departments
21 subject to the requirements of that Act and chapter 8B, as
22 enacted by this Act, shall comply with these requirements. The
23 schedule shall provide for implementation of the requirements
24 to all affected state agencies and departments by December 31,
25 2014. The office shall submit a copy of the schedule to the
26 general assembly by July 31, 2013, and shall provide periodic
27 updates to the general assembly on the progress of meeting the
28 time deadlines contained in the schedule.

29 2. In procuring information technology as provided in
30 section 8B.24, as enacted by this Act, the office should
31 explore strategies of procuring information technology through
32 leasing.

33 DIVISION II

34 PHASED RETIREMENT PROGRAM

35 Sec. 36. Section 70A.30, Code 2013, is amended to read as

1 follows:

2 **70A.30 Establishment of phased retirement program.**

3 1. There is established The department of administrative
4 services may establish a voluntary employee phased retirement
5 incentive program for full-time state employees ~~who are at~~
6 ~~least sixty years of age and have completed at least twenty~~
7 ~~years as full-time state employees.~~

8 2. The A phased retirement incentive program established
9 by the department of administrative services is a retirement
10 system for purposes of section 20.9, but is not retirement
11 for purposes of chapter 97A, 97B, or 602 or for the
12 employees who are members of the teachers insurance annuity
13 association-college retirement equities fund (TIAA-CREF).

14 Sec. 37. REPEAL. Sections 70A.31, 70A.32, 70A.33, and
15 70A.34, Code 2013, are repealed.

16 Sec. 38. PHASED RETIREMENT PROGRAM — TRANSITION PROVISIONS
17 — STANDING APPROPRIATION.

18 1. State employees who are participating in the phased
19 retirement program established by sections 70A.30 through
20 70A.34, Code 2013, as of the effective date of this Act shall
21 remain in the program and be eligible for the benefits of the
22 program as provided prior to the effective date of this Act.

23 2. For state employees who became participants in the phased
24 retirement program prior to the effective date of this Act, the
25 department of administrative services shall, annually after
26 June 30 of each fiscal year, determine the cost during the
27 preceding fiscal year to the Iowa public employees' retirement
28 fund of continued participation of such state employees in
29 the phased retirement program as authorized by this section.
30 Annually, there is appropriated from the fund from which
31 the participating employees are paid to the Iowa public
32 employees' retirement fund an amount sufficient to reimburse
33 the retirement fund for the costs of the phased retirement
34 program for those state employees who became participants in
35 the program prior to the effective date of this Act.

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DIVISION III

HUMAN RESOURCE MANAGEMENT

Sec. 39. Section 8A.402, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *i.* The development and implementation of a plan to centralize the human resource management functions for state executive branch agencies within the department, except for institutions under the control of the state board of regents.

Sec. 40. DEPARTMENT OF ADMINISTRATIVE SERVICES —
CENTRALIZED HUMAN RESOURCE MANAGEMENT.

1. The director of the department of administrative services shall develop and implement a plan to centralize the human resource management functions for executive branch agencies under the department of administrative services, except for institutions under the control of the state board of regents, by December 15, 2015.

2. The centralized human resource management plan shall do all of the following:

- a. Identify the human resource duties and processes being utilized by each agency.
- b. Identify the positions being utilized by the agencies to perform the human resource duties.
- c. Establish best practices for a consolidated human resources model and identify the estimated cost savings that will result from implementation of the plan.
- d. Detail and implement an organizational structure to support a fully consolidated human resources model.
- e. Identify space, technology, and equipment needs, and acquire and implement such tools and resources in support of the consolidated human resources model. Such efforts shall be done in collaboration with the state chief information officer and the general services, state accounting, and information technology enterprises of the department of administrative services.

1 f. Establish a comprehensive budget to be used and establish
2 the utility rate to be charged each agency as a result of the
3 consolidation.

4 g. Establish detailed timelines for transition and
5 communicate the timelines to the agencies.

6 3. State executive branch agencies, except for institutions
7 under the control of the state board of regents, shall do all
8 of the following:

9 a. Provide the department of administrative services with
10 all of the following information:

11 (1) Information regarding the human resource duties and
12 responsibilities being performed by agency staff.

13 (2) The direct and indirect costs associated with agency
14 staff performing human resource duties.

15 (3) Information about the human resource information and
16 records storage systems being used to perform human resource
17 work.

18 b. Adjust internal staffing as required in the centralized
19 human resource management plan developed by the department of
20 administrative services.

21 c. Agencies outside of the department of administrative
22 services shall not hire or replace any staff for the
23 purposes of conducting human resource work. The department
24 of administrative services shall partner with agencies
25 to transition and consolidate work in the human resource
26 enterprise of the department of administrative services.

27 d. Transition to the human resources and payroll systems
28 selected and operated by the department of administrative
29 services pursuant to timelines identified by the department of
30 administrative services.

31 e. Adhere to all objectives and timelines required in the
32 centralized human resource management plan developed by the
33 department of administrative services.

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DIVISION IV
STATE PHYSICAL RESOURCES

1 Sec. 44. Section 22.7, Code 2013, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 65. Electronic mail addresses of
4 individuals collected by state departments and agencies for the
5 sole purpose of disseminating routine information and notices
6 through electronic communications that are not prepared for a
7 specific recipient.

8 Sec. 45. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
9 MAIL. Notwithstanding any provision of the law to the
10 contrary, a state department or agency shall provide
11 departmental or agency notices or information through the
12 department's or agency's internet site or through electronic
13 mail to the fullest extent possible. This requirement shall
14 not apply to department and agency communications required for
15 purposes of pursuing legal action or to comply with federal
16 law. Departments and agencies shall have rulemaking authority
17 to implement this section and to collect electronic mail
18 addresses for the purpose of electronic communications.

19 DIVISION VII

20 STATE RECORDS

21 Sec. 46. Section 96.11, subsection 11, Code 2013, is amended
22 to read as follows:

23 11. *Destruction of records.* The department may destroy
24 or dispose of such original reports or records as have been
25 properly recorded or summarized in the permanent records of
26 the department and are deemed by the director and the ~~state~~
27 ~~records commission~~ department of cultural affairs to be no
28 longer necessary to the proper administration of this chapter.
29 Wage records of the individual worker or transcripts therefrom
30 may be destroyed or disposed of, if approved by the ~~state~~
31 ~~records commission~~ department of cultural affairs, two years
32 after the expiration of the period covered by such wage records
33 or upon proof of the death of the worker. Such destruction
34 or disposition shall be made only by order of the director in
35 consultation with the ~~state records commission~~ department of

1 cultural affairs. Any moneys received from the disposition of
2 such records shall be deposited to the credit of the employment
3 security administration fund, subject to rules promulgated by
4 the department.

5 Sec. 47. Section 305.2, subsection 2, Code 2013, is amended
6 to read as follows:

7 2. "*Archives*" means records that have been appraised by
8 the ~~state records commission~~ department as having sufficient
9 historical, research, evidential, or informational value to
10 warrant permanent preservation and that have been transferred
11 to the custody of the state archives.

12 Sec. 48. Section 305.2, subsections 3 and 5, Code 2013, are
13 amended by striking the subsections.

14 Sec. 49. Section 305.2, Code 2013, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 4A. "*Department*" means the department of
17 cultural affairs.

18 Sec. 50. Section 305.2, subsection 12, Code 2013, is amended
19 to read as follows:

20 12. "*Records series retention and disposition schedule*"
21 means a timetable established by the ~~state records commission~~
22 department that describes the length of time a records series
23 of an agency or multiple agencies must be retained in active
24 and inactive status and provides authorization for a final
25 disposition of the records series by destruction or permanent
26 retention.

27 Sec. 51. Section 305.4, unnumbered paragraph 1, Code 2013,
28 is amended to read as follows:

29 The ~~commission~~ department shall adopt government information
30 policies, standards, and guidelines to do all of the following:

31 Sec. 52. Section 305.8, subsection 1, unnumbered paragraph
32 1, Code 2013, is amended to read as follows:

33 The ~~commission~~ department shall do all of the following:

34 Sec. 53. Section 305.8, subsection 1, Code 2013, is amended
35 by adding the following new paragraph:

1 NEW PARAGRAPH. *0e.* Provide training, advice, and counsel
2 to agencies on government information policies, standards, and
3 guidelines.

4 Sec. 54. Section 305.8, subsection 1, Code 2013, is amended
5 by adding the following new paragraphs:

6 NEW PARAGRAPH. *0f.* Develop and distribute operating
7 procedures for agencies to use to implement the plans,
8 policies, standards, and guidelines adopted by the department.

9 NEW PARAGRAPH. *00f.* Manage any centralized records storage
10 facility established by the department for the temporary
11 storage of agency records prior to their final disposition by
12 destruction or permanent preservation in accordance with the
13 records series retention and disposition schedules.

14 NEW PARAGRAPH. *000f.* Appoint a state archivist to head the
15 state archives and records program.

16 NEW PARAGRAPH. *0000f.* Manage the state archives and develop
17 operating procedures for the transfer, accession, arrangement,
18 description, preservation, protection, and public access of
19 those records the department identifies as having permanent
20 value.

21 NEW PARAGRAPH. *00000f.* Maintain physical custody and legal
22 custody of archives that have been transferred and delivered
23 to the state archives.

24 (1) Upon receipt by the state archivist, the archives shall
25 not be removed without the state archivist's consent except in
26 response to a subpoena of a court of record or in accordance
27 with approved records series retention and disposition
28 schedules or after review and approval of the department.

29 (2) Upon request, the state archivist shall make a certified
30 copy of any record in the legal custody or in the physical
31 custody of the state archivist, or a certified transcript
32 of any record if reproduction is inappropriate because of
33 legal or physical considerations. If a copy or transcript is
34 properly authenticated, it has the same legal effect as though
35 certified by the officer from whose office it was transferred

1 or by the secretary of state. The department shall establish
2 reasonable fees for certified copies or certified transcripts
3 of records in the legal custody or physical custody of the
4 state archivist.

5 NEW PARAGRAPH. *000000f.* Establish, maintain, and administer
6 an archive of records created and maintained in electronic
7 format in order to preserve and provide public access to state
8 government records identified as having permanent historical
9 value by the department.

10 Sec. 55. Section 305.8, subsection 1, Code 2013, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *0i.* Establish rates to be charged an agency
13 by the department for storage and retention of records of
14 the agency in a records storage facility maintained by the
15 department. Rates established shall be reviewed annually by
16 the department and shall be reasonably related to the cost of
17 storing and retaining records of an agency.

18 Sec. 56. Section 305.8, subsection 2, unnumbered paragraph
19 1, Code 2013, is amended to read as follows:

20 The ~~commission~~ department may do all of the following:

21 Sec. 57. Section 305.8, subsection 2, Code 2013, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. *0g.* Upon written consent of the state
24 archivist, accept records of political subdivisions that are
25 voluntarily transferred to the state archives.

26 Sec. 58. Section 305.8, subsection 2, paragraph e, Code
27 2013, is amended to read as follows:

28 *e.* Make, or cause to be made, preservation duplicates of
29 records, which may include existing copies of original state
30 records. Any preservation duplicate record shall be durable,
31 accurate, complete, and clear, and shall be made by means
32 designated by the ~~commission~~ department.

33 Sec. 59. NEW SECTION. **305.8A Records retention and storage**
34 **costs — billing — internal service fund.**

35 1. The department may bill an agency for records storage

1 and retention services rendered by the department pursuant to
2 the rates established by the department for these services.
3 The department shall periodically render a billing statement
4 to an agency outlining the cost of services provided. The
5 amount indicated on the statement shall be paid by the agency
6 and amounts received by the department shall be considered
7 repayment receipts as defined in section 8.2, and deposited
8 into the accounts of the department.

9 2. *a.* The department may establish and maintain an internal
10 service fund in accordance with generally accepted accounting
11 principles, as defined in section 8.57, for the records storage
12 and retention activities of the department which are primarily
13 funded from billings to agencies for services rendered by the
14 department.

15 *b.* The internal service fund shall be administered by
16 the department and shall consist of moneys collected by the
17 department from billings issued in accordance with this section
18 and any other moneys obtained or accepted by the department,
19 including but not limited to gifts, loans, donations, grants,
20 and contributions, which are designated to support the
21 activities of the internal service fund.

22 *c.* The proceeds of the internal service fund established
23 pursuant to this section shall be used by the department
24 for the operations of the department in records storage and
25 retention consistent with this chapter.

26 *d.* Section 8.33 does not apply to any moneys in the
27 internal service fund established pursuant to this section.
28 Notwithstanding section 12C.7, subsection 2, interest or
29 earnings on moneys deposited in the fund shall be credited to
30 the fund.

31 *e.* The director of the department shall annually provide
32 financial information and reports relative to the internal
33 service fund established pursuant to this section to the
34 department of management and the general assembly. The
35 information provided may include the recommendation that a

1 portion of unexpended net income be periodically returned to
2 the appropriate funding source.

3 Sec. 60. Section 305.10, subsection 1, paragraphs c, d, e,
4 f, and j, Code 2013, are amended to read as follows:

5 c. Cooperate with the ~~state records commission~~ department
6 and the state archives and records program in the development
7 and implementation of government information policies,
8 standards, and guidelines, and in the development and
9 implementation of records series retention and disposition
10 schedules.

11 d. Comply with requests from the ~~state records commission~~
12 ~~or~~ department and the state archives and records program to
13 examine records in the possession, constructive possession, or
14 control of the agency in order to carry out the purposes of
15 this chapter.

16 e. Inventory agency records in accordance with ~~state~~
17 ~~records commission~~ department policies to draft records series
18 retention and disposition schedules.

19 f. Identify vital operating records in accordance with
20 the policies, standards, and guidelines of the ~~state records~~
21 ~~commission~~ department.

22 j. Provide for compliance with this chapter and the rules
23 adopted by the ~~state records commission~~ department.

24 Sec. 61. Section 305.10, subsection 2, Code 2013, is amended
25 to read as follows:

26 2. Agency heads may petition the ~~state records commission~~
27 department to create or modify government information policies,
28 standards, and guidelines, and to create or modify records
29 series retention and disposition schedules.

30 Sec. 62. Section 305.11, Code 2013, is amended to read as
31 follows:

32 **305.11 Termination of state agency — records transfer.**

33 Upon the termination of a state agency whose functions have
34 not been transferred to another agency, custody of the records
35 of the agency shall transfer to the ~~commission~~ department.

1 Sec. 63. Section 305.14, Code 2013, is amended to read as
2 follows:

3 **305.14 Liability precluded.**

4 ~~No member~~ An employee of the ~~commission~~ department or head
5 of an agency shall not be held liable for damages or loss, or
6 civil or criminal liability, because of the destruction of
7 public records pursuant to the provisions of this chapter or
8 any other law authorizing their destruction.

9 Sec. 64. Section 305.15, Code 2013, is amended to read as
10 follows:

11 **305.15 Exemptions — duties of state department of
12 transportation and state board of regents.**

13 The state department of transportation and the agencies and
14 institutions under the control of the state board of regents
15 are exempt from the state records manual and the provisions of
16 this chapter. However, the state department of transportation
17 and the state board of regents shall adopt rules pursuant to
18 chapter 17A for their employees, agencies, and institutions
19 that are consistent with the objectives of this chapter.
20 The rules shall be approved by the ~~state records commission~~
21 department.

22 Sec. 65. Section 305.16, subsection 6, paragraph b,
23 subparagraph (1), Code 2013, is amended to read as follows:

24 (1) Serve in an advisory capacity to the ~~state records~~
25 commission department, the state archives and records program,
26 and other statewide archival or records agencies.

27 Sec. 66. Section 321.31, subsection 1, paragraph b, Code
28 2013, is amended to read as follows:

29 **b.** The department may make photostatic, microfilm, or other
30 photographic copies of certificates of title, registration
31 receipts, or other records, reports or documents which are
32 required to be retained by the department. When copies have
33 been made, the department may destroy the original records in
34 such manner as prescribed by the director. The photostatic,
35 microfilm, or other photographic copies, when no longer of use,

1 may be destroyed in the manner prescribed by the director,
2 subject to the approval of the ~~state records commission~~
3 department of cultural affairs. Photostatic, microfilm, or
4 other photographic copies of records shall be admissible in
5 evidence when duly certified and authenticated by the officer
6 having custody and control of the copies of records. Records
7 of vehicle certificates of title may be destroyed seven years
8 after the date of issue.

9 Sec. 67. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
10 305.9, Code 2013, are repealed.

11 Sec. 68. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

12 1. Any rule, regulation, form, order, or directive
13 promulgated by the state records commission relative to the
14 provisions of this division of this Act in existence on the
15 effective date of this division of this Act shall continue in
16 full force and effect until amended, repealed, or supplemented
17 by affirmative action of the department of cultural affairs
18 under the duties and powers established in this division of
19 this Act and under the procedure established in subsection 2.

20 2. In regard to updating references and format in the Iowa
21 administrative code in order to correspond to the transferring
22 of duties as established in this division of this Act, the
23 administrative rules coordinator and the administrative rules
24 review committee, in consultation with the administrative code
25 editor, shall jointly develop a schedule for the necessary
26 updating of the Iowa administrative code.

27 DIVISION VIII

28 PUBLIC HEALTH

29 Sec. 69. Section 135.11, subsection 24, Code 2013, is
30 amended by striking the subsection.

31 Sec. 70. Section 135.11, subsection 28, Code 2013, is
32 amended to read as follows:

33 28. ~~In consultation with the advisory committee for~~
34 ~~perinatal guidelines, develop~~ Develop and maintain the
35 statewide perinatal program based on the recommendations of

1 the American academy of pediatrics and the American college
 2 of obstetricians and gynecologists contained in the most
 3 recent edition of the guidelines for perinatal care, and shall
 4 adopt rules in accordance with chapter 17A to implement those
 5 recommendations. Hospitals within the state shall determine
 6 whether to participate in the statewide perinatal program,
 7 and select the hospital's level of participation in the
 8 program. A hospital having determined to participate in the
 9 program shall comply with the guidelines appropriate to the
 10 level of participation selected by the hospital. Perinatal
 11 program surveys and reports are privileged and confidential
 12 and are not subject to discovery, subpoena, or other means
 13 of legal compulsion for their release to a person other than
 14 the affected hospital, and are not admissible in evidence in a
 15 judicial or administrative proceeding other than a proceeding
 16 involving verification of the participating hospital under this
 17 subsection.

18 Sec. 71. Section 147A.24, subsection 1, paragraph q, Code
 19 2013, is amended by striking the paragraph and inserting in
 20 lieu thereof the following:

21 *q.* Iowa's Medicare quality improvement organization.

22 Sec. 72. Section 147A.24, subsection 4, Code 2013, is
 23 amended by adding the following new paragraph:

24 NEW PARAGRAPH. *h.* Develop, implement, and conduct trauma
 25 care system evaluation, quality assessment, and quality
 26 improvement.

27 Sec. 73. Section 147A.24, Code 2013, is amended by adding
 28 the following new subsection:

29 NEW SUBSECTION. 5. Proceedings, records, and reports
 30 developed pursuant to this section constitute peer review
 31 records under section 147.135, and are not subject to discovery
 32 by subpoena or admissible as evidence. All information and
 33 documents received from a hospital or emergency care facility
 34 under this subchapter shall be confidential pursuant to section
 35 272C.6, subsection 4.

1 Sec. 74. Section 147A.26, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. The department shall maintain a statewide trauma
4 reporting system by which ~~the system evaluation and quality~~
5 ~~improvement committee~~, the trauma system advisory council, and
6 the department may monitor the effectiveness of the statewide
7 trauma care system.

8 Sec. 75. REPEAL. Section 147A.25, Code 2013, is repealed.

9 Sec. 76. REPEAL. Chapter 135N, Code 2013, is repealed.

10

DIVISION IX

11

PUBLIC SAFETY PEACE OFFICERS' RETIREMENT SYSTEM

12

13 Sec. 77. Section 97A.6, subsection 7, paragraph a,
14 subparagraph (1), Code 2013, is amended to read as follows:

15 (1) Should any beneficiary for either ordinary or
16 accidental disability, except a beneficiary who is fifty-five
17 years of age or over and would have completed twenty-two years
18 of service if the beneficiary had remained in active service,
19 be engaged in a gainful occupation paying more than the
20 difference between the member's net retirement allowance and
21 ~~one~~ two and one-half times the current earnable compensation
22 of an active member at the same position on the salary scale
23 within the member's rank as the member held at retirement, then
24 the amount of the retirement allowance shall be reduced to an
25 amount such that the member's net retirement allowance plus the
26 amount earned by the member shall equal ~~one~~ two and one-half
27 times the amount of the current earnable compensation of an
28 active member at the same position on the salary scale within
29 the member's rank as the member held at retirement. Should
30 the member's earning capacity be later changed, the amount of
31 the retirement allowance may be further modified, provided
32 that the new retirement allowance shall not exceed the amount
33 of the retirement allowance originally granted adjusted by
34 annual readjustments of pensions pursuant to subsection 14 of
35 this section nor an amount which would cause the member's net
retirement allowance, when added to the amount earned by the

1 beneficiary, to equal ~~one~~ two and one-half times the amount
 2 of the current earnable compensation of an active member at
 3 the same position on the salary scale within the member's rank
 4 as the member held at retirement. A beneficiary restored
 5 to active service at a salary less than the average final
 6 compensation upon the basis of which the member was retired at
 7 age fifty-five or greater, shall not again become a member of
 8 the retirement system and shall have the member's retirement
 9 allowance suspended while in active service. If the rank or
 10 position held by the retired member is subsequently abolished,
 11 adjustments to the allowable limit on the amount of income
 12 which can be earned in a gainful occupation shall be computed
 13 in the same manner as provided in subsection 14, paragraph "c",
 14 of this section for readjustment of pensions when a rank or
 15 position has been abolished. If the salary scale associated
 16 with a member's rank at retirement is changed after the member
 17 retires, earnable compensation for purposes of this section
 18 shall be based upon the salary an active member currently
 19 would receive at the same rank and with seniority equal to
 20 that of the retired member at the time of retirement. For
 21 purposes of this paragraph, "net retirement allowance" means
 22 the amount determined by subtracting the amount paid during the
 23 previous calendar year by the beneficiary for health insurance
 24 or similar health care coverage for the beneficiary and the
 25 beneficiary's dependents from the amount of the member's
 26 retirement allowance paid for that year pursuant to this
 27 chapter. The beneficiary shall submit sufficient documentation
 28 to the board of trustees to permit the system to determine the
 29 member's net retirement allowance for the applicable year.

30 DIVISION X

31 REPORT — STATE DEBT COORDINATOR

32 Sec. 78. DEPARTMENT OF REVENUE AND OFFICE OF THE STATE
 33 DEBT COORDINATOR — REPORT. The director of revenue shall
 34 develop and recommend legislative proposals deemed necessary
 35 for the continued efficiency of the functions of the office of

1 the state debt coordinator established in section 421C.1, and
2 shall prepare and file a report detailing the recommendations.
3 The report shall be filed by the director of revenue with
4 the department of management, the governor, and the general
5 assembly no later than January 13, 2014.

6 DIVISION XI

7 ONGOING PROGRAM REVIEW

8 Sec. 79. Section 2.69, subsection 4, Code 2013, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *0c.* Comprehensively review on a regular
11 basis the programs and projects administered by state
12 government to determine whether each program and project
13 reviewed is effectively and efficiently meeting the needs for
14 which created, and whether the needs remain applicable. The
15 review shall consider whether modifications to the program or
16 project reviewed could better meet the needs identified in a
17 more effective manner.

18 DIVISION XII

19 BOARDS AND COMMISSIONS

20 Sec. 80. Section 190A.3, subsection 3, Code 2013, is amended
21 to read as follows:

22 3. ~~The farm-to-school council~~ department of agriculture
23 and land stewardship and the department of education shall
24 seek to establish partnerships with public agencies and
25 nonprofit organizations to implement a structure to facilitate
26 communication between farmers and schools.

27 Sec. 81. Section 190A.3, subsection 4, Code 2013, is amended
28 to read as follows:

29 4. ~~The farm-to-school council~~ department of agriculture and
30 land stewardship and the department of education shall actively
31 seek financial or in-kind contributions from organizations or
32 persons to support the program.

33 Sec. 82. Section 256.9, subsection 55, paragraph j, Code
34 2013, is amended by striking the paragraph.

35 Sec. 83. REPEAL. Section 190A.2, Code 2013, is repealed.

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DIVISION XIII

OBSOLETE PROVISIONS

Sec. 84. REPEAL. Section 15.112, Code 2013, is repealed.
Sec. 85. REPEAL. Chapters 15C and 15D, Code 2013, are repealed.

EXPLANATION

This bill relates to government efficiency, including other matters related to the operation of state and local government.

DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

This division transfers the information technology functions and chief information officer of the department of administrative services (DAS) to a new independent office of the chief information officer that is attached to the department of administrative services.

Code section 8A.101, the definitions provision for DAS, is amended to provide that the definitions also apply to the Code chapter creating the new office.

Code section 8A.104, describing the powers and duties of the director of DAS, is amended to provide that the director shall provide assistance and administrative support services to the new office as necessary.

New Code chapter 8B establishes the office of the chief information officer directed by the chief information officer of the state.

The new Code chapter includes provisions of Code chapter 8A that apply generally to DAS to include provisions in Code chapter 8A on prohibited interests, acceptance of funds, federal funds, services to governmental entities and nonprofit organizations, internal service funds, additional personnel, billing, debts, and liabilities.

Concerning information technology, the provisions in Code chapter 8A, subchapter II, providing for, in part, the appointment of a chief information officer and the information technology duties and services provided by DAS, are moved to new Code chapter 8B.

1 In addition, the powers and duties of the chief information
2 officer, currently described in Code section 8A.203 and moved
3 to new Code section 8B.4 in the bill, are expanded from current
4 law to give the chief information officer the authority to
5 adopt rules, prepare a budget, adopt rules regarding the
6 approval of information technology budgets of other agencies,
7 and administer all accounting, billing, and collection
8 functions required by DAS.

9 New Code section 8B.21, concerning information technology
10 services currently described in Code section 8A.202, also
11 includes new provisions directing the new office to establish
12 an enterprise strategic and project management function for
13 oversight of all information technology-related projects and
14 resources of participating agencies and requiring that security
15 policies and systems developed by the new office be consistent
16 with the state's data transparency efforts.

17 The bill also includes transition provisions governing
18 administrative rules, personnel moved from DAS to the new
19 office, transfer of funds to the new office, and information
20 technology-related causes of action.

21 The division directs the new office to conduct an inventory
22 of information technology devices utilized by state agencies
23 with the goal of identifying possibilities to reduce costs.
24 The new office is required to submit a report to the general
25 assembly by January 1, 2014, concerning the results of the
26 inventory.

27 The division also directs the new office to establish a
28 schedule for departments to comply with information technology
29 coordination and management requirements of Code chapter
30 8B. In addition, the new office is encouraged to procure
31 information technology for participating agencies through
32 leasing.

33 DIVISION II — PHASED RETIREMENT PROGRAM. This division
34 repeals the phased retirement program for state employees.
35 Code section 70A.30 is amended to authorize, but not require,

1 the department of administrative services to establish a phased
2 retirement program. A transition provision allows those state
3 employees currently participating in the phased retirement
4 program repealed by the bill to continue participation in
5 the program after the effective date of this division of
6 the bill. The bill provides for continuation of a standing
7 appropriation to the Iowa public employees' retirement fund for
8 such continued participation.

9 DIVISION III — HUMAN RESOURCE MANAGEMENT. This division
10 concerns human resource management for state executive branch
11 agencies. The bill requires the department of administrative
12 services to centralize the human resource management functions
13 for executive branch agencies under the department of
14 administrative services, except for institutions under the
15 control of the state board of regents, by December 15, 2015.
16 The bill amends Code section 8A.402(1) by requiring that the
17 department develop and implement the plan. The bill provides
18 the elements that must be included in the centralized human
19 resource management plan and describes what applicable state
20 executive branch agencies must do relative to developing and
21 implementing the centralized plan.

22 DIVISION IV — STATE PHYSICAL RESOURCES. This division
23 of the bill requires that DAS conduct an analysis of state
24 employee workstations and office standards by September 30,
25 2013. The division further requires the department to submit
26 findings and recommendations to the capitol planning commission
27 and the legislative fiscal committee by October 30, 2013.

28 DIVISION V — AUDITS. This division concerns audit costs and
29 filing fees for the filing of certain audits or examinations
30 conducted by the auditor of state.

31 Code section 11.6(10) is amended to eliminate the authority
32 of the auditor to establish and collect a filing fee relative
33 to certain audits conducted on certain mental health centers,
34 substance abuse programs, and community action agencies.

35 The division takes effect upon enactment.

1 DIVISION VI — ELECTRONIC COMMUNICATIONS. This division
2 provides that each state department and agency shall provide
3 departmental or agency notices or information through the
4 department's or agency's internet site or through electronic
5 mail to the fullest extent possible. Code section 22.7,
6 concerning confidential public records, is amended to provide
7 that electronic mail addresses of individuals collected
8 by state departments and agencies for the sole purpose
9 of disseminating routine information and notices through
10 electronic communications that are not prepared for a specific
11 recipient shall be considered confidential.

12 DIVISION VII — STATE RECORDS. This division eliminates
13 the state records commission and transfers the duties and
14 responsibilities of the state records commission to the
15 department of cultural affairs. The division includes a
16 transition provision that any rule promulgated by the state
17 records commission shall continue until changed by the
18 department of cultural affairs.

19 The division also authorizes the department of cultural
20 affairs to bill agencies for records storage and retention.
21 Code section 305.8 is amended to provide that the department
22 of cultural affairs establish rates to charge agencies for
23 providing records storage and retention services. New Code
24 section 305.8A authorizes the department of cultural affairs
25 to bill agencies for records storage and retention services,
26 establish an internal service fund for receipt of moneys from
27 agencies billed for this purpose, and authorizes the department
28 to utilize moneys received and deposited in the fund for the
29 operations of the department in records storage and retention.

30 DIVISION VIII — PUBLIC HEALTH. This division concerns the
31 department of public health.

32 Code section 135.11 is amended to eliminate the requirement
33 of the department to establish an abuse education review panel
34 and the advisory committee for perinatal guidelines.

35 Code section 147A.25, establishing a system evaluation and

1 quality improvement committee, is repealed and the duties
2 transferred to the trauma system advisory council. The bill
3 also adds a representative to the trauma system advisory
4 council from Iowa's Medicare quality improvement organization
5 in lieu of the state emergency medical services medical
6 director.

7 Code chapter 135N, establishing a hemophilia advisory
8 committee, is repealed.

9 DIVISION IX — PUBLIC SAFETY PEACE OFFICERS' RETIREMENT
10 SYSTEM. This division concerns the recalculation of an
11 accidental or ordinary disability retirement benefit for a
12 beneficiary under 55 years of age under the Public Safety
13 Peace Officers' Retirement, Accident, and Disability system
14 (PORS). The bill provides that a beneficiary shall have
15 their disability retirement benefit reduced equal to the
16 difference in income the beneficiary is receiving from other
17 work and two and one-half times the amount of the current
18 earnable compensation of an active member of PORS at the same
19 position on the salary scale as the disability beneficiary less
20 the disability beneficiary's net retirement allowance. Net
21 retirement allowance is defined as the disability beneficiary's
22 retirement allowance minus certain health insurance costs.
23 Current law reduces the disability benefit if the disability
24 beneficiary's income from other employment is one and one-half
25 times the amount of an active member of PORS minus the net
26 retirement allowance.

27 DIVISION X — REPORT — STATE DEBT COORDINATOR. This
28 division establishes a report to be prepared and filed by the
29 director of revenue. The director will develop and recommend
30 legislative proposals deemed necessary for the office of the
31 state debt coordinator, which shall be compiled in a report and
32 filed with the department of management, the governor, and the
33 general assembly no later than January 13, 2014.

34 DIVISION XI — ONGOING PROGRAM REVIEW. This division
35 amends Code section 2.69, establishing the legislative

1 state government efficiency review committee, to provide
2 that the committee also conduct a comprehensive review on a
3 regular basis of programs and projects administered by state
4 government.

5 DIVISION XII — BOARDS AND COMMISSIONS. The division
6 repeals the farm-to-school council.

7 DIVISION XIII — OBSOLETE PROVISIONS. This division repeals
8 Code section 15.112, relating to matching funds for a farmworks
9 national demonstration project; Code chapter 15C, relating to
10 a world trade center; and Code chapter 15D, relating to the
11 midwest nuclear compact, which contains provisions relating to
12 repeal and withdrawal from the compact.